



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,645	10/27/2003	Timothy M. Morris	03-634	4007
34704	7590	05/04/2005	EXAMINER	
BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET SUITE 1201 NEW HAVEN, CT 06510			DINH, TIEN QUANG	
			ART UNIT	PAPER NUMBER
			3644	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,645

Applicant(s)

MORRIS ET AL.

Examiner

Tien Dinh

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-27 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-27, 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wojciehowski et al in view of Schafer et al.

Wojciehowski et al teaches a system for generating accessory power from a gas turbine engine that uses a pneumatically operated means 26 for receiving bleed air and controlled by a control valve 46 and for generating power to operate equipment onboard (see figure 1) on the aircraft but is silent on the means for monitoring which provides information about the change in power demand. However, Schafer et al teaches that FADECs (which has feedback loops) are well known in the art to monitor and control elements in an engine system are well known in the art.

It would have been obvious to one skilled in the art at the time the invention was made to have used FADECs in Wojciehowski et al's system as taught by Schafer et al to safely and efficiently generate power to operate the aircraft equipments. RE claim 32, please note that due to the pneumatically operated means, there are inherent increases to an amount of stall margin available to a high pressure compressor of the engine.

Art Unit: 3644

Claims 26, 27, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wojciehowski et al as modified by Schafer et al as applied to claim 20 above, and further in view of the admitted prior art on page 5, paragraph [0028].

Wojciehowski et al as modified by Schafer et al discloses all claimed parts except for the pneumatically integrated generators for supplying electrical or mechanical power. However, the admitted prior art on page 5, paragraph [0028] teaches that pneumatically integrated generators that supply electrical and mechanical powers are well known in the art.

It would have been obvious to one skilled in the art to have used additional pneumatically integrated generators in Wojciehowski et al's system as modified by Schafer et al and as taught by the admitted prior art on page 5, paragraph [0028] to generate power for other accessories. Please note that accessories such starter/generators, fuel pumps, etc. and gearboxes are well known in this day and age and one skilled in the art can used the pneumatically integrated generators to generate power to supply power to the accessories.

Response to Arguments

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Wojciehowski et al discloses all claimed parts except for the monitoring means to

Art Unit: 3644

monitor at least one parameter which provides information about an incipient change in power demand and means for supplying bleed air from the engine during a transient state in response to the one monitored parameter. Schafer et al, however, does show a monitoring system (FADEC), which the applicant clearly claimed, that is used to monitor at least one parameter (which is information about an incipient change in power demand). This incipient change in power demand is the state of the control element 16. So when the control element is selected, there is an incipient change in power demand. So when there is an incipient change in power demand is detected, the engine supplies the bleed air during a transient state that is in response to the monitored parameter. Thus, it would have been obvious to one skilled in the art to have used a FADEC system in Wojciehowski et al to safely and efficiently generate power to operate the aircraft equipments. Please note that the Schafer et al reference is used to show that FADEC systems are well known to one skilled in the art. The examiner did not suggest using Schafer et al's system directly into Wojciehowski et al's system. Re claim 23, Wojciehowski discloses a control valve and in combination with Schafer et al teaches an electronic engine control device to control the control valve. Re claim 25, please note that Schafer et al teaches a monitoring system that monitors the elements in an engine system. This monitoring includes a feedback loop to transmit the position of the parts of the engine system. Re claim 32, the examiner maintains that there are inherent increases to an amount of stall margin available to a high pressure compressor of the engine. When the compressor bleed air (in Wojciehowski et al's system) is used to power the pneumatic means during the transient state, the stall margin is increased. Thus this meets what is claimed. Concerning the arguments on claims 26, 27, 30, and 31, please note that the examiner used the admitted prior art to show that other pneumatic means are well known.

Art Unit: 3644

These other pneumatic means can be used in Wojciehowski et al's system. Please note that these pneumatic means does not have to be used to operate the liquid spraying system.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 571-272-6899. The examiner can normally be reached on 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TD

Tr ol